

# Missouri Department of Natural Resources



## PUBLIC NOTICE

### DRAFT MISSOURI STATE OPERATING PERMIT

DATE: November 5, 2004

In accordance with the state Clean Water Law, Chapter 644, RSMo, Clean Water Commission regulation 10 CSR 20-6.010, and the federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years, unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to the Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102, ATTN: Peter Goode, NPDES Permits and Engineering. Please include the permit number in all comment letters.

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be postmarked by December 5, 2004 or received in our office by 5:00 p.m. on December 8, 2004. The requirement of a signed document makes it impossible to accept email comments for consideration at this time. Comments will be considered in the formulation of all final determinations regarding the applications. If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at DNR's website, <http://www.dnr.mo.gov/wpscd/wpcp/homewpcp.htm>, or at the Department of Natural Resources, Water Protection Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, Missouri 65102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Public Notice Date: November 5, 2004  
Permit Number: MO-G970000

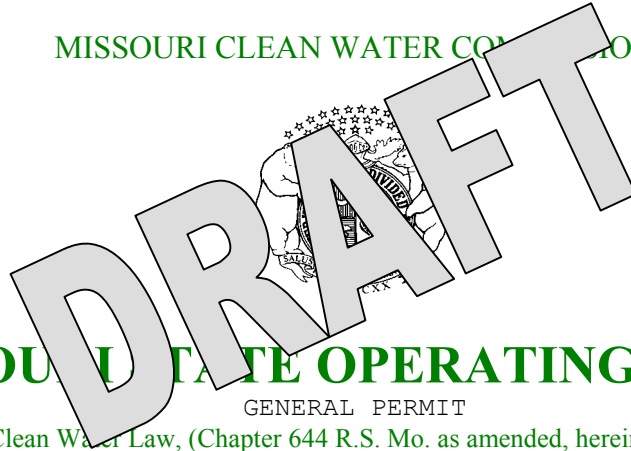
<b>FACILITY NAME AND ADDRESS</b>	<b>NAME AND ADDRESS OF OWNER</b>
Various throughout the state.	Various throughout the state.
<b>RECEIVING STREAM &amp; LEGAL DESCRIPTION</b>	<b>TYPE OF DISCHARGE</b>
Various throughout the state.	Stormwater runoff, flow dependent upon precipitation, yard waste composting operations under 20 acres.

This public notice is for modification of facility description requirements.

STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

MO-G970000

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

All Outfalls                      SIC #2875

Storm water runoff.  
Flow is dependent upon precipitation.  
Yard Waste Composting operations under 20 acres.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

\_\_\_\_\_  
Effective Date

\_\_\_\_\_  
Stephen M. Mahfood, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

\_\_\_\_\_  
Expiration Date  
MO 780-0041 (10-93)

\_\_\_\_\_  
Jim Hull, Director of Staff, Clean Water Commission

#### APPLICABILITY

1. This permit authorizes the discharge of storm water from yard waste composting operations that are less than 20 acres in size. The acreage is measured by calculating the area that is affected by the composting activities, including unloading, storage, and handling of composting materials and finished compost. It does not include buffer zones, parking lots, maintenance facilities and storm water control basins. Yard waste is defined as those waste products that are produced during private, public or commercial lawn care and yard maintenance such as leaves, grass clippings, shrub and tree trimmings and plant waste from greenhouses, household flower and vegetable gardens. The compost mix may also include up to 5% by volume of animal manure, domestic waste, sludge or biosolids.
2. If at any time, the Missouri Department of Natural Resources determines that the quality of waters of the state may be protected by requiring the owner of yard waste composting operations to apply for an individual NPDES permit, the Department may do so.
3. If at any time the owner of a yard waste composting operation should desire to apply for an individual NPDES permit, the owner may do so.
4. This permit does not apply to landfills or composting done in association with landfills.
5. This permit does not authorize the discharge of any water other than storm waters.
6. This permit applies to stockpiling of raw materials as necessary for the active production of compost. This permit also applies to the stockpiling of finished composts.
7. This permit does not address the compost quality, distribution, or use of the finished compost.
8. This permit does not authorize composting operations located within 100 feet of a water course, 300 feet of a lake or water supply well, 1,000 feet of a losing stream or sinkhole.
9. This permit does not apply to facilities that would discharge to outstanding national resource or outstanding state resource waters.

#### EXEMPTIONS

1. Compost sites which include less than 5% biosolids, are under two (2) acres in size and which are operated so as not to discharge to waters of the state, are exempt from permitting requirements.
2. Distribution or marketing of yard waste composts are exempt from permitting.
3. Uncomposted yard waste materials that are land applied in normal farming operations are exempt from permitting requirements. This exemption does not apply to stock piles of materials that exceed two (2) acres in size at an operating location.

#### REQUIREMENTS

1. The permittee shall not stockpile raw materials other than yard waste for periods greater than 24 hours. The composting mix shall not include more than 5% by volume of animal manure, sludges or similar materials. These materials shall be mixed into the compost piles and shall not be stockpiled separately for more than 24 hours.
2. The permittee shall not allow non-biodegradable material to be placed in the compost, except that amendments which improve the quality of the compost may be added with prior approval from the department. Bags containing both non-biodegradable sealers and non-biodegradable plastics are considered to be non-biodegradable for purposes of this permit.

REQUIREMENTS (continued)

3. Any storm water collection basin is subject to construction permitting requirements under 10 CSR 20-6.010 and 6.015. Basins must be sealed in accordance with 10 CSR 20-8.020.
4. The composting area shall have a base, which may be made of asphalt, concrete, compacted earth, or other materials and shall comply with the permeability limitations under 10 CSR 20-8.020(13)(A)4.
5. Water Quality Standards
  - (a) Discharges to waters of the state shall not constitute a violation of water quality standards rule under 10 CSR 20-031, including both specific and general criteria.
  - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
    - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrid, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
    - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
    - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
    - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
    - (5) There shall be no significant human health hazard from incidental contact with the water;
    - (6) There shall be no acute toxicity to livestock or wildlife watering;
    - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
    - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
6. Composting operations that include raw materials other than yard waste shall follow the requirements of 40 CFR 503. If the compost is to be distributed to the public it shall have undergone one of the Processes to Further Reduce Pathogens found in Appendix B of 40 CFR 503.
7. Permittee shall adhere to the following Best Management Practices:
  - (a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehousing activities and prevent the contamination of storm water from these substances.
  - (b) Provide for the collection and proper disposal of waste products including, but not limited to, petroleum waste products and solvents. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, and shall include spill prevention, control and counter measures.
  - (c) Store all paint, solvents, petroleum products, and petroleum waste products in appropriate storage containers (such as drums, cans, or cartons) so that these materials are safely contained and not exposed to storm water.
  - (d) Provide good housekeeping practices on the site to keep trash or other solid waste from entering waters of the state.
  - (e) Designate an individual as responsible for environmental matters. Inspect, once per month on workdays, any structure that functions to prevent pollution from storm water or to remove pollutants from storm water. In addition, inspect these structures within 24 hours of each rainfall event of one inch or more. Inspect the facility in general to ensure that any Best Management Practices are continually implemented and remain effective.

REQUIREMENTS (continued)

8. This permit may be reopened and modified, or alternatively revoked and reissued, to:
- (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b) (2) (C), and (D), 304(b) (2) and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - 1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - 2) Controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitation or other conditions if the results of a waste load allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards.
  - (c) Incorporate new or modified effluent limitation or other conditions if, as the result of a watershed analysis, a total maximum daily load (TMDL) limitation is developed for the receiving waters which is not currently included in Missouri's current 303(d) list.

ANNUAL REPORT

Permittee shall submit an annual report by January 28 of each year for the previous calendar year period. The report shall include information on quantities and types of all raw materials stockpiled or composted during the year; results of any testing performed; quantity of compost sold, disposed or given away; and quantity of composting materials on-site at the end of the year.

PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months prior to the permit's expiration date.

TERMINATION OF PERMIT

If activities covered by this permit have ceased and this permit no longer applies, the permittee shall request termination of this permit. The permittee shall submit Form H, Termination of a General Permit.

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>				PAGE NUMBER 5 of 5		
				PERMIT NUMBER MO-G970000		
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u> (Note 1)						
Flow	MGD	*		*	once/quarter	24 hr. estimate
Biochemical Oxygen Demand <sub>5</sub>	mg/L	65		45	once/quarter	grab
Total Suspended Solids	mg/L	12		70	once/quarter	grab
pH - Units	Units	**		*	once/quarter	grab
Rainfall	inches			*	daily	total
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> , THE NEXT REPORT IS DUE <u>                    </u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR REMARKABLE DAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

\* Monitoring requirement only.

\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.

Note 1 - Monitor once/quarter during the first hour after a discharge from a rainfall event greater than 0.5 inch in a 24 hour period. Report as "no-discharge" if a discharge does not occur during the monitoring period. Samples shall be collected at the property boundary for each storm water discharge point and the sample from each outfall shall be tested separately.